I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on February 17, 2009

PATENT Attorney Docket No.: 027232-000910US

Client Ref. No.: BP-0002US

TOWNSEND and TOWNSEND and CREW LLP

By: Judith Cotham

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 5256

James M. Coull et al.

Examiner: Bradley L. Sisson

Application No.: 09/996,658

Technology Center/Art Unit: 1634

Filed: November 29, 2001

AMENDMENT

For: METHODS AND COMPOSITIONS

FOR SORTING AND/OR DETERMINING ORGANISMS

Customer No.: 20350

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 14, 2008, please enter the following amendments and remarks. A Request for Continued Examination accompanies this response.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.